

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Committee Substitute for Senate Bill No. 675, Page 1, in the Title, Lines 2 and 3, by  
2 deleting the words, "the Missouri local government employees' retirement system" and inserting in  
3 lieu thereof the words, "public employee retirement systems"; and  
4

5 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:  
6

7 "56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August 27,  
8 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of this  
9 section shall be paid from county or city funds.

10 2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003,  
11 each county treasurer shall pay to the system the following amounts to be drawn from the general  
12 revenues of the county:

13 (1) For counties of the third and fourth classification except as provided in subdivision (3) of  
14 this subsection, three hundred seventy-five dollars;

15 (2) For counties of the second classification, five hundred forty-one dollars and sixty-seven  
16 cents;

17 (3) For counties of the first classification, counties which pursuant to section 56.363 elect to  
18 make the position of prosecuting attorney a full-time position after August 28, 2001, or whose  
19 county commission has elected a full-time retirement benefit pursuant to subsection 3 of section  
20 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-seven cents.

21 3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer  
22 shall at least monthly transmit the sums specified in subsection 2 of this section to the Missouri  
23 office of prosecution services for deposit to the credit of the "Missouri Prosecuting Attorneys and  
24 Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys held by the state  
25 treasurer on behalf of the system shall be paid to the system within ninety days after August 28,  
26 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund  
27 shall be used only for the purposes provided in sections 56.800 to 56.840 and for no other purpose.

28 4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys  
29 provided for in this section shall be paid from county or city funds and the surcharge established in  
30 this section and collected as provided by this section and sections 488.010 to 488.020.

31 5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the  
32 following amounts to be drawn from the general revenues of the county:

33 [(1)] (a) For counties of the third and fourth classification except as provided in [subdivision  
34 (3)] paragraph (c) of this [subsection] subdivision, one hundred eighty-seven dollars;

35 [(2)] (b) For counties of the second classification, two hundred seventy-one dollars;

36 [(3)] (c) For counties of the first classification, counties which pursuant to section 56.363

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elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, six hundred forty-six dollars.

(2) Beginning August 28, 2014, the county contribution set forth in paragraphs (a) to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following schedule based upon the prosecuting attorneys and circuit attorneys' retirement system's annual actuarial valuation report. If the system's funding ratio is:

(a) One hundred twenty percent or more, no monthly sum shall be transmitted;

(b) More than one hundred ten percent but less than one hundred twenty percent, the monthly sum transmitted shall be reduced fifty percent;

(c) At least ninety percent and up to and including one hundred ten percent, the monthly sum transmitted shall remain the same;

(d) At least eighty percent and less than ninety percent, the monthly sum transmitted shall be increased fifty percent; and

(e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred percent.

6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and circuit attorneys shall be collected and paid as follows:

(1) There shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state including violation of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, and against any person who pled guilty and paid a fine through a fine collection center, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

(2) The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes provided for in sections 56.800 to 56.840 and for no other purpose.

8. The board may accept gifts, donations, grants and bequests from private or public sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840 unless provided for by law."; and

Further amend said bill, Page 2, Section 70.621, Line 29, by inserting after all of said line the following:

"104.037. 1. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits plus interest, such

1 member shall be considered an active member of the retirement system, and upon retirement, the  
2 member's creditable service shall be calculated as if the member had never retired and received any  
3 retirement benefits.

4 2. The interest calculation in subsection 1 of this section shall be determined based on the  
5 annual rate of return earned by the system compounded annually from the original date of retirement  
6 to the date such retirement benefit amount received plus all accrued interest is repaid to the system.

7 104.380. 1. Except as provided in subsection 2 of this section, if a retired member is elected  
8 to any state office or is appointed to any state office or is employed by a department in a position  
9 normally requiring the performance by the person of duties during not less than one thousand forty  
10 hours per year, the member shall not receive an annuity for any month or part of a month for which  
11 the member serves as an officer or employee, but the member shall be considered to be a new  
12 employee with no previous creditable service and must accrue creditable service continuously for at  
13 least one year in order to receive any additional annuity. Any retired member who again becomes an  
14 employee and who accrues additional creditable service and later retires shall receive an additional  
15 amount of monthly annuity calculated to include only the creditable service and the average  
16 compensation earned by the member since such employment or creditable service earned as a  
17 member of the general assembly. Years of membership service and twelfths of a year are to be used  
18 in calculating any additional annuity except for creditable service earned as a member of the general  
19 assembly, and such additional annuity shall be based on the type of service accrued. In either event,  
20 the original annuity and the additional annuity, if any, shall be paid commencing with the end of the  
21 first month after the month during which the member's term of office has been completed, or the  
22 member's employment terminated. If a retired member is employed by a department in a position  
23 that does not normally require the person to perform duties during at least one thousand forty hours  
24 per year, the member shall not be considered an employee as defined pursuant to section 104.010. A  
25 retired member who becomes reemployed as an employee on or after August 28, 2001, in a position  
26 covered by the Missouri department of transportation and highway patrol employees' retirement  
27 system shall not be eligible to receive retirement benefits or additional creditable service from the  
28 state employees' retirement system. Annual benefit increases paid under section 104.415 shall not  
29 accrue while a retired member is employed as described in this section. Any future annual benefit  
30 increases paid after the member terminates such employment will be paid in the same month as the  
31 member's original annual benefit increases were paid. Benefits paid under subsection 3 of section  
32 104.374 are not applicable to any additional annuity paid under this section.

33 2. If a retired member of the Missouri department of transportation and highway patrol  
34 employees' retirement system or the Missouri state employees' retirement system is elected to any  
35 state office, appointed to any state office, or is reemployed by a department and such member  
36 reimburses the retirement system for any amount received as retirement benefits plus interest, such  
37 member shall be considered an active member of the retirement system, and upon retirement, the  
38 member's creditable service shall be calculated as if the member had never retired and received any  
39 retirement benefits.

40 3. The interest calculation in subsection 2 of this section shall be determined based on the  
41 annual rate of return earned by the system compounded annually from the original date of retirement  
42 to the date such retirement benefit amount received plus all accrued interest is repaid to the system..

43 104.1039. 1. Except as provided in subsection 2 of this section, if a retiree is employed as an  
44 employee by a department, the retiree shall not receive an annuity payment for any calendar month  
45 in which the retiree is so employed. While reemployed the retiree shall be considered to be a new  
46 employee with no previous credited service and must accrue credited service continuously for at  
47 least one year in order to receive any additional annuity. Such retiree shall receive an additional  
48 annuity in addition to the original annuity, calculated based only on the credited service and the pay

1 earned by such retiree during reemployment and paid in accordance with the annuity option  
2 originally elected; provided such retiree who ceases to receive an annuity pursuant to this section  
3 shall not receive such additional annuity if such retiree is employed by a department in a position  
4 that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this  
5 chapter. The original annuity and any additional annuity shall be paid commencing as of the end of  
6 the first month after the month during which the retiree's reemployment terminates. Cost-of-living  
7 adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in  
8 this section. Any future cost-of-living adjustments paid after the retiree terminates such employment  
9 will be paid in the same month as the retiree's original annual benefit increases were paid.

10 2. If a retired member of the Missouri department of transportation and highway patrol  
11 employees' retirement system or the Missouri state employees' retirement system is elected to any  
12 state office, appointed to any state office, or is reemployed by a department and such member  
13 reimburses the retirement system for any amount received as retirement benefits plus interest, such  
14 member shall be considered an active member of the retirement system, and upon retirement, the  
15 member's creditable service shall be calculated as if the member had never retired and received any  
16 retirement benefits.

17 3. The interest calculation in subsection 2 of this section shall be determined based on the  
18 annual rate of return earned by the system compounded annually from the original date of retirement  
19 to the date such retirement benefit amount received plus all accrued interest is repaid to the system.

20 488.026. As provided by section 56.807, there shall be assessed and collected a surcharge of  
21 four dollars in all criminal cases filed in the courts of this state, including violations of any county  
22 ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, or against  
23 any person who pled guilty and paid a fine through a fine collection center, but no such surcharge  
24 shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or  
25 when a criminal proceeding or the defendant has been dismissed by the court [or against any person  
26 who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of  
27 this section, the term "county ordinance" shall include any ordinance of the city of St. Louis. The  
28 clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts  
29 as provided by sections 488.010 to 488.020. Such funds shall be payable to the prosecuting  
30 attorneys and circuit attorneys' retirement fund."; and

31  
32 Further amend said bill by amending the title, enacting clause, and intersectional references  
33 accordingly.